

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2177 – HB 2284

April 4, 2012

SUMMARY OF AMENDMENT (014260): Deletes all language after the enacting clause. Establishes criteria required to receive recognition as a Native American Indian tribe, band, or group. Assigns state recognition with full legal rights and protections to six Native American Indian groups: Remnant Yuchi Nation, Tanasi Council, United Eastern Lenape Nation of Winfield, Chikamaka Band, Central Band of Cherokee, and Cherokee Wolf Clan. Adds language stating that these groups have no rights to make a claim for human remains and burial objects. States that this bill will not diminish the constitutional prohibition of casinos in Tennessee.

FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – According to TDEC, in the event that state recognition of Native American Indian groups leads to an increase in claims for human remains and funerary objects, an increase in recurring state expenditures of \$55,900 will be required for additional staffing. The timing and duration of these expenditures cannot be determined. Secondary impacts such as tourism related revenue and expenditures cannot be determined. A possible shift of Temporary Assistance for Needy Families and Community Service Block Grants from DHS to the Native American groups; any net impact will be not significant.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Other Fiscal Impact – Secondary impacts such as tourism related revenue and expenditures cannot be determined. A possible shift of Temporary Assistance for Needy Families and Community Service Block Grants from DHS to the Native American groups; any net impact will be not significant.

Assumptions applied to amendment:

- Any increase in state expenditures for the General Assembly to receive and review recommendations and officially recognize Native American Indian groups will be not significant.
- According to the Department of Tourist Development, a determination of the impact on tourism cannot be determined.

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- Non-profit Native American groups currently hold events in Tennessee. Native American attractions have been built or are in the process of being built in Tennessee in the absence of this bill as amended. Any increase in the number of events or attractions as a result of state recognition cannot be determined.
- Tenn. Code Ann. § 4-34-202, authorizes Native American Indians recognized by a federally recognized tribe or a state, the right to receive minority based scholarships, grants, and benefits awarded by the University of Tennessee or any Tennessee school system.
- According to the Tennessee Student Assistance Corporation (TSAC), there will be no impact on TSAC administered programs.
- Any increase in state expenditures for the University of Tennessee or the Tennessee Board of Regents to review additional applications for minority focused scholarships will be not significant.
- According to the Department of Human Services (DHS), there is potential for this bill as amended to divert federal Temporary Assistance for Needy Families and Community Service Block Grants from DHS to the Native American groups. The net impact of funding will be not significant. Any impact on DHS will be not significant.
- Clarifying that this bill as amended will not grant the authority to establish or operate a casino will not change the fiscal impact estimated for the original bill.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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